2: Durham B-5 (ca. 1910)1928 EG1 Albania EG1

of the shortage of women. This, I believe, is largely caused by the high rate of mortality in childbirth and the extremely hard lives of the women.

A girl, once betrothed, is the property of the family which has bought her, and must be *intacta virgo* when handed over. The most important object of marriage is to obtain sons. A sonless man had no one to avenge him, and his soul would never rest. Therefore in old days, when a girl was handed over, it was usual that the couple should cohabit, but no marriage ceremony should take place till a son was born. The Church has actively fought this custom and almost abolished it. But some cases still occur. Even when the unfortunate woman bore several daughters she might still be treated as worthless; and a married woman who has borne only daughters and is left as a widow has not the right to stay in the family house, but may be permitted to do so. If this is not allowed, her own nearest male relative has the right to sell her again—cheap. I heard of a nephew who had sold his aunt twice.

In a report on the missionary work in Albania made by the Franciscan father Donato Maria di Trento in 1740, he states that the priests are doing all they can to prevent parents from allowing the betrothed to cohabit before marriage, which custom, he says, is universal, and describes as "a most foul torrent of universal concubinage." "They will not contract marriage till offspring is obtained."

Girls being thus married without any choice of their own, and being miserable in strange surroundings, were naturally apt to run away. In the above report this is constantly mentioned as cause of great trouble and feud. Thus Padre Candido reports from Gruda, January 31, 1740: "Women are running away every day, even after marriage." And P. Bonaventura says: "The women are running away *a grandissima furia*."

The custom of child betrothal and payment of parents is described and signed by thirteen padres and the Bishop of Scutari in 1731, and it is stated that it is great disgrace for the betrothed to see each other before they cohabit, or for the bride even to speak with the relatives of the bridegroom. The two parties are never consulted, and "in this country the youth never make love."

To counteract these difficulties the Mission makes much use of the local custom of swearing a common oath in which those swearing it call down all kinds of imprecations on their heads should they be forsworn. Consequent upon the swearing of many such oaths the Mission reports sixty-four marriages celebrated either before or immediately after cohabitation. P. Bonaventura triumphantly states that thirteen married by him are still with their husbands; but of those

married by P. Francesco one ran away six weeks ago and cannot be found.

When I was there in 1908 things were better, but old customs clung. The main idea of the clergy was to insist that a betrothal must not be broken off, but to prohibit child betrothals.

All priests were ordered to question the girl as to her wishes before celebrating the marriage. Few girls, however, have the courage to resist the commands of the house and the usage of the tribe. Among the wilder tribes girls who objected were still sometimes carried off bound with cords and forced to comply; and, cohabitation having taken place, the priest married them.

Among the Dukagini tribes infant betrothal was still common. The fine old bairaktar of Nikaj, Bash Bairimi, told me that he thanked God he owed no one blood; all his five sons were alive and four were married. The fifth, aged twenty-five, was yet unmarried. Not because Bash grudged the money. He would pay willingly, but could find no maiden good enough. He wanted good blood. A woman of bad stock makes endless trouble. He had betrothed the four elder lads to unborn brides; but had not done this with the fifth and was sorry, for all good maidens were already betrothed. He was looking out for a suitable widow. Money, he repeated, was no object; he would not stick at a few more napoleons to buy a really suitable woman.

A result of high bride-price and shortage of women was a good deal of woman-stealing between the outlying tribes. I was told that many of the blood-feuds of Shala were based upon the abduction of girls from neighbour tribes. If a betrothed girl went off with another man, willingly or unwillingly, a blood-feud always started. She was the property of the family that had bought her and had no rights over her person.

Escape from Betrothal.—In one way only could a girl evade a marriage she disliked. If she could find twelve elders of her tribe group to act as con-jurors she could swear perpetual virginity. If she broke the vow the honour of the con-jurors was blackened and a blood-feud ensued. It was not easy for her to find twelve con-jurors.

Having succeeded and taken the vow in the church or mosque, her status is, I believe, unique. In the Maltsia e Madhe she can, if she pleases, dress as a man. She associates with the men on equal terms, and eats and smokes with them. She may carry arms. The reason given is that as she has no man to support her she must support herself, and a herdsman's life is the only way. I met altogether four virgins who wore men's clothes, but none carried arms. I heard of three more. One in the Djakova district was said to have served in the Turkish Army undetected.

4: Garnett B-4, 5 (ca. 1880) 1891
EG1 Albania EG1

Their wives and mothers, like women generally, are well up in all the degrees of kinship and descent, and the preliminaries of betrothals are usually settled by them in the harem before they are submitted to the head of the family and communicated to the parties most nearly interested. Children are frequently betrothed before they are ten years of age, and occasionally while still in the cradle. In such cases, however, the arrangement is kept secret from the couple until the young man is in a position to marry. This usage is intended to prevent the Albanian youths marrying in the towns to which they resort for employment. A refusal on the part of a young man to fulfil an engagement made for him by his parents, would inevitably result not only in a vendetta with the relatives of the rejected bride, but in social ostracism. Such cases are, however, extremely rare, for, as the bridegroom elect has, as a rule, never beheld the bride chosen for him, he can have no reason for refusing to marry her. In such an eventuality national usage decrees that the younger brothers and sisters of the maiden may not marry until her matrimonial affairs are satisfactorily settled.

Women in Albania being less numerous than men, it is not customary to require a portion with the bride, who is, on the contrary, as among the Vlachs and Bulgarians, practically purchased from her father or brothers for a sum of money which varies according to the wealth and standing of the respective families. The parents of the maiden, however, besides providing the materials for her trousseau, supply her with various articles of jewellery and a

10: Hasluck F-5 (1926-1939)1954 EG1 Albania EG1

his case. Since 1912 most of this administrative and penal legislation has been superseded of set purpose by European methods and laws, whereas the social content of the old mountain code has been left comparatively undisturbed, free to come into line with the ways of the West in its own time.

The community sense was fostered by every art the mountaineers knew. Each member of a household was encouraged to regard everything in it and everything its other members said and did as his own. The humblest man was encouraged to regard his village or group of villages as his personal property. If home, village or group of villages prospered, he rejoiced as if he had himself been advanced. If they were insulted or injured, he burned to avenge a personal affront. If they were disgraced by misconduct on the part of another member, he felt his own honour to be smirched. The patriotism so bred was narrow, perhaps, but it was genuine, free from egregious self-seeking, and by its emphasis on the need to keep the community's honour untarnished, a good deterrent from crime.

This close relationship between individual and community was also a curb on dictatorship. The ruling rank had always to respect the individual's property in the community's laws. They could not make any change in an existing law unless they obtained the consent of a General Assembly of their village or tribe. They could impose, but (except in the tribes which maintained fine-collectors) they could not collect fines; social pressure was necessary for that. In a very common punishment, social ostracism, they might play no more than a subordinate part. They could not pass heavy sentences like banishment or death unless a General Assembly demanded them, and if it did, they could not resist its will. In short, the elders voiced, but did not dictate, popular sentiment.

They were no privileged oligarchy either. They might sit in the seat of honour or get the lamb's head and eye at a banquet, but they had no official residences, horses or guards of honour provided for them at public expense. They lived in houses that were often meaner than those of their subordinates; they ate the same food and toiled in the same way in their fields and among their flocks. In fact, the self-government of the Albanian mountaineers went far towards being true democracy in the Anglo-American sense of that much-abused word. In its primitive way it was really government of the People, by the People, for the People. It had

10:Hasluck F-5 (1926-1939)1954 EG1 Albania EG1

694 paid, for which reason both elders and litigants thought bargaining about it superfluous.

The litigants having formally consented to pay his fee, the elder next asked each of them to bring him a pledge. This served a threefold purpose. Once given, it could not be taken back till the case was settled and the fee paid. The litigants might repent of going to law or of engaging this particular elder, but unless they forfeited their pledges, they could neither stop the case nor change the elder. The pledge was, secondly, the elder's security for payment of his fee. As soon as he had delivered judgement he was entitled to his fee, and until it was paid he was entitled to retain the litigant's pledge. Occasionally in Zerqan an elder trusted a client enough to dispense with a pledge, and some in Martanesh asked only a token one, such as a cigarette, thus paying the integrity of their clients a high compliment. The normal pledge was of greater value than the fee, or share of the fee, payable by each litigant. Since pledges had been instituted in days so distant that money was hardly—if at all—known, a material article such as a gun, a revolver, a watch or a silver tobacco-box was generally handed over. It was for the elder to choose which it should be.

696 626 In Mirditë the article deposited was known as the 'pledge of acceptance or agreement', because its third purpose was to bind the litigants to accept the elder's decision. If one was refractory the elder had the right to retain his pledge. In a certain boundary case Cen Elezi of Dibër, having stipulated for a fee of twelve napoleons from each litigant, asked each to bring his tobacco-box as a pledge. As his son put it, this did not nearly cover his fee but was rather a preliminary 'symbol of acceptance' of his decision. Indiscipline in such matters naturally weakened the social fabric by destroying one of its most unifying factors, the authority of elders. Various steps were taken to reinforce decisions. Selim Peshku of Martanesh charged fees that ranged from five gold Turkish pounds to one, but he never took up a case until the larger sum had been deposited in pledge of submission to his judgement, and in case of recalcitrancy he showed no scruples about pocketing the pledge money. The disparity between his lowest fee and his unvarying pledge shows that he was trying, not so much to safeguard his own fee, as to maintain social discipline. Mirditë sought the same end by enacting that a judgement delivered without pledge being taken was invalid before the law and that a verbal

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl

pledge was valueless; something concrete and tangible must be given. 696 626

The pledges deposited, the elder set to work on the case in earnest, questioning any villager who had information, visiting the scene of trouble, interviewing any private informant who volunteered to give evidence, and so arriving at the rights and wrongs of the simpler cases. In more difficult cases he put one of the litigants to the oath, dictating his terms and stipulating the number of 'good men and true' who were to be persuaded by the litigant to take it with him. This rarely failed to show which litigant was in the wrong, and the elder came forthwith to his decision with confidence. 695

When the litigants were friendly, they might agree to engage two elders. In that case they selected them one after the other by the same method of mutual consent as they would have selected one. They also agreed to divide the cost in elders' fees and meals. That done, they laid the case before the elders, one after the other, and bargained with each about his fee and the number of meals he was to be given. These rewards were not necessarily the same for both elders. Sometimes they visited the elders together; more often each visited one only. In the usual way each was required to deposit a pledge with the elders. 694

When the litigants were not friendly, and this was the most common contingency, each found an elder for himself, without consulting the other or considering his views on the man. Each brought his own elder whatever pledge he desired; this meant that one litigant might have to deposit a gun and the other a tobacco-box. Each also bore the sole responsibility for his elder's fee and meals and made for himself the best bargain about them that he could.

A pair of elders worked on these same lines; singly perhaps during the period of investigation, certainly meeting at its conclusion to argue out the pros and cons of the case. If each represented a separate litigant, each tended to favour his own client, so introducing a new principle. The elder was no longer only a judge as he was when he was engaged by the two litigants; he was also the advocate of his own litigant, trying to do the best for him by arguing against the advocate of the other litigant. The loser was more likely to contest the decision under such circumstances. 695

When the two elders had hammered out an agreement they sent for the two disputants, said they had come to an agreement, and

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl

promise—if they did, there would be no shooting. Each had to give this guarantor a pledge of the usual type—rifle, revolver, watch—which was laid before the elders. The elders then delivered their judgement, the two disputants accepted it and had their pledges returned. If a disputant broke his promise and shot his rival, the village Council of Elders would fine the guarantor, asking him why he had let the man break his word. In this way, through the medium of the guarantor a good deal of pressure was brought to bear on the loser to make him keep the peace. In the Elbasan area it was agreed that a disputant who gave a meal to the elders thereby accepted their judgement, so that the strong instincts of hospitality came into play. In Mirditë the elders whose decision was flouted bade the disputants 'go to Shupal (St Paul's Church) or the Grykë e Oroshit (Defile of Orosh)', i.e. bring the matter up before the next General Assembly for the tribe at one or other of these famous meeting-places. If the loser would not abide by the decision of the General Assembly he could be fined by the tribe, ostracized or even banished for a period. Occasionally a strong man subjected to such sanctions killed the offending elder; by so doing he involved himself in yet another blood feud. In Mirditë and adjacent areas emphasis was laid on the fact that the recusant loser had himself chosen and approved the offending elder, and had signified the same by giving him a pledge. *By* these acts he had stripped himself of the right to take back the pledge or to express active disapproval of the judgement given. Only in the event of the judgement's being demonstrably biased or unfair were the disputants allowed to challenge it. 'A crooked judgement can be annulled', the law stated. Often the crookedness was established by the loser going secretly to ask another elder for his opinion. In that event the disputant had everywhere the right to appeal against the judgement and to call for a new examination of the case by another elder or pair of elders. In some parts, the law ruled that 'the law does not admit of elder on elder, and trial on trial', and that a man who had 'chosen and approved' elders had no right to call in others.

Frivolous changing of elders was restrained by the extra expense this entailed. In Lumë, for instance, if two brothers were displeased by the manner in which their chosen elders were dividing their property, they could call in one more elder, a *staraplak* (ancient), whose decision was final. But his regulation fee was five

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl

us by Father Gjeçov,[1] the last clause announces that though the Pecnikaj kin of Shalë laid down the law enunciated in clause 2, it had the support of the Lotaj, Abati (Abat) and Bobi (Bob) kins in doing so. Its first and its fourth clauses consider the adhesion of the brotherhood of Theth as well. Occasionally there was a partial meeting of a brotherhood, and at the bottom of the scale there were household meetings at which the master set some common problem before all the men in the family.

Generally speaking, assemblies of all types took place at irregular intervals, to meet some special need, though the demand that they should be called regularly once a year was not unknown.[2]

When a kin or smaller meeting was in question, the convener sent anyone he could find to call it. Bigger meetings were summoned by word of mouth by the public messenger. In Mat a gipsy beat out the summons on his drum and in Shpat church bells were rung.

Attendance at a plenary meeting was compulsory, non-attendance punishable by a fine. For instance, an elder of Kurbin who failed to turn up and could not satisfy the other elders that his absence was justified was fined five rams. An ordinary tribesman in the same area was fined one ram and in Kastrat 250 piastres. The strength and solidarity of the tribes were closely connected with the plenary character of their assemblies.

Most public meetings took place in the open air, as church houses were usually too small and schoolrooms and village halls did not exist. Meeting places had to be central and free from cultivation, rock, scrub and forest so as to provide adequate seating space In Catholic areas the yard of the church was commonly used for General Assemblies and in Moslem areas that of the mosque. Assemblies of a village or kin could be held in the most central of the smaller clearings of the area, and a house was big enough for a brotherhood or household assembly.

Some meeting-places were specially famous. At Lesh, a thriving seaport at the mouth of the river Drin, and not the malarial inland townlet into which it has been converted by the advance of the Drin towards Italy, Lek Dukagjini and Skanderbeg met by preference, as it was centrally situated for both their domains. The place of meeting was probably the grassy sward near the ruined church on the right bank of the Drin, opposite the modern town.

[1] See Appendix, Document XII, p. 272

[2] See Appendix, Document V, § 16, p. 264.

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl

family, the oath had to be taken on all their heads. On the appointed day, the accuser went to the suspect's house, where the suspect gathered all the males in his family and drew their heads together. After laying his hands on their heads to establish the contact which would involve them in his perjury, if any, he took the oath, saying, 'By the heads of my sons, I have not done you the wrong of which you have accused me, and I do not know who has done it'. The gravity of this oath made it particularly useful in ending embittered disputes before they came to bloodshed, for only a man very sure of his position or one utterly unscrupulous would swear it.

Social oaths were designed to check lawlessness and breaches of the peace within the tribe and were the commonest types. In Document II, Mnelë and Gomsiqe swear[1] to stick together whatever may betide for mutual defence against external danger. Sometimes the tribe, or at least the brotherhood in the Malësi e Madhe, swore that they would not enter a certain house. Though this oath was never taken except to make the law-breaker obey a tribal judgement, it was not considered a good oath, and breaking it soon after it was sworn was advocated. Sometimes, too, a village would assemble and take oath not to send their animals to the summer grazing grounds before a fixed date or to cut wood in each other's forests. In Lurë irrigation rights still depended on oaths taken by the various claimants several generations ago and still binding on their descendants. This example shows how the perpetuity of oaths prevented renewals of litigation; a right once settled, remained settled.

When about to pronounce a decision or just after pronouncing it, elders frequently took oath that they had judged or would judge righteously. In all the tribal area they inevitably carried a stone on their shoulder to signify that they must carry it throughout eternity if their oath was false. In Shalë their formula was, 'With body and soul, with good luck and good fortune, so far as I can tell I have decided this matter without guile, without bribery and without prejudice'.

[1] See Appendix, Document II, p. 262.

10: Hasluck F-5 (1926-1939)1954 EGI Albania EGI

of stones was made where he was killed; on this every passer-by was expected to throw a green leaf, a blade of grass or a pebble while expressing a wish for the repose of his soul. In Shkrel, according to one informant, a stone was stuck at the head and another at the foot, as though the place was a real grave, but a *muranë* was not made. Any relatives who wished to mourn him went to his grave, not to the place where he had been killed. Exceptionally, what seem real graves may be seen near the meadows of Tërnovë above Zerqan; ten or twelve in number, each roughly outlined with stones, they are known as 'the murdered graves' and are said to contain the bodies of men who fell there in a long-past battle between the villages of Tërnovë and Sopot. Again exceptionally, when Muharrem Bajraktar of Lumë fled in 1934 to Yugoslavia, the Spahi family, his hereditary enemies, killed one of his servants. Muharrem said this man was not to be buried in Bicaj, his native village, but by the wayside where he fell, so that when he himself returned from exile he should see the grave and be reminded to take vengeance.

The ideal was to take vengeance as soon as possible. In Kurbin the piled stones served to make the dead man's kinsmen hasten to take vengeance, reminding them of his death and so 'heating their blood'. For the same purpose the Catholics of the north frequently buried the man in his blood-stained clothes; the Mohammedans, however, obedient to the dictum that all who profess their faith must go to the grave in a clean winding sheet, discarded this custom. A still stranger reminder of the need to take vengeance, a little bottle filled with the dead man's blood, was used all over north Albania and in Kosovë. This bottle the relatives looked at day and night. As soon as the blood 'boiled', i.e. fermented, they seized their rifles, cocked their skull-caps over one ear to show their determination, and rushed forth to kill the murderer. If the blood did not 'boil', they might accept a money indemnity instead of taking a life. In western Mat they dipped a rag in the dead man's blood; when it looked stained and brown, they knew the hour to avenge him had struck. None of these reminders was found as far south as Çermenikë and Shpat.

Public opinion also spurred the avenger on. A man slow to kill his enemy was thought 'disgraced' and was described as 'low-class' and 'bad'. Among the Highlanders he risked finding that other men had contemptuously come to sleep with his wife, his

10:Hasluck F-5 (1926-1939)1954 EGl Albania EGl

626 daughter could not marry into a 'good' family and his son must
*628 marry a 'bad' girl. As far south as Godolesh on the outskirts of
558 Elbasan, he paid visits at his peril; his coffee cup was only half-filled, and before being handed to him it was passed under the host's left arm, or even his left leg, to remind him of his disgrace. He was often mocked openly.

All over north Albania it was permissible for the victim's kin to burn down the murderer's house. The veteran Mirash Nue of
[574] Vuksan in Shalë boasted that once he saved his house from this fate by sending a message to the avenger which ran: 'Spare the ashes on my hearth for the sake of the open house I've kept.' The avenger, touched by the reminder of Mirash's noted hospitality, yielded to the plea. In 1935 a Dibran took to the mountains after wounding a fellow-villager with whom he was at feud; on recovering, his victim did not dare to sleep at home in case he returned under cover of darkness to repair his bad marksmanship by setting fire to the house and burning him to death. In hot blood an avenger might in some places do as much material damage as possible to the murderer, burning his hay as well as his house, scything his ripening grain and harrowing over his growing maize. For fear of reprisals in kind he could nowhere harm his children or animals.

685 Burning down a murderer's house is said in Martanesh to have
*628 been a recent innovation, and in Dibër and Lumë to have been formerly much more common than in recent times. Various considerations suggest that the latter view is correct. The reason given in Lumë for the waning of the custom is that it grew progressively more serious as people abandoned the straw huts in which they once lived and built themselves stone houses; the huts were cheap and easy to rebuild, but the houses were not so easily replaced. With poverty as general and murder as frequent as they used to be, it is obvious that if burning the murderer's stone house and destroying his crops had been freely permitted, the life of the tribe could not have gone on. To restrict the attacks on property, sanctions were introduced. In Dibër an avenger guilty of incendiarism was banished in perpetuity by the community. In Krujë the crime was deprecated as doubly unwise; it might cause further deaths, so involving the avenger in further feuds, and women and children might be among the victims, in which case the avenger would be covered with disgrace. In Shpat an avenger who burned his enemy's house found the whole community against him as

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl

sometimes yielded to a friend's pleadings and allowed one or more men in the 'imprisoned' man's household to come out and work. The same friend went security to the murderer for the lives of the man or men released. In Shpat, if one of the men imprisoned died, the avenger sent word that one of those hitherto free must shut himself up in his stead. It is not known whether this was the rule in other districts or not.

In earlier times, according to vague traditions still current in Çermenikë and Martanesh, only the actual murderer was shut up and the other men in his household were free to work and to travel. This tradition is supported by the history of the Balli family in the village of Fenars. Seven generations ago, i.e. about 175 years ago, Sali Balli of Martanesh killed a friend and was shut up by the avenger, while his four brothers went free. He grew so bored in his 'prison' that he ran away from Martanesh and settled in Fënars, where he founded a family now headed by Isuf Balli. The descendants of his brothers still live in the old home in Martanesh.

When an avenger felt too bitter to release indefinitely one or more men in the imprisoned murderer's household, he was sometimes induced to make a minor concession. When all the men were shut up, women were able to hoe, to carry manure, to sow seed, to reap wheat and to harvest maize successfully, but they could not plough—so it was believed in north, though not in south, Albania, where the wives of many emigrants must to this day plough if they and their children are to eat. There was therefore danger in north Albania that if all the men were shut up during the ploughing season, the family would, in spite of the women's efforts, starve. This led to a ticket-of-leave system, called *besë*, literally 'pledged word', 'truce', or *kuvend*, 'agreement'. At the instance of a mutual friend the avenger granted the murderer leave for one or more men in his household to come out and work his land for a stipulated period, varying from three to twelve months. As so often, the forces of public opinion reinforced the friend's urgings; indeed, it was said of an avenger who refused his enemy leave to plough that he 'was not to be entered in the register', i.e. could not be classed as a man, and of one who did not that he was both brave and honourable.

In Dukagjin the kanùn of murder was so stern that neither the murderer nor his womenfolk were allowed to work his land if the avenger was strong. Indeed, the avenger often worked it and carried home the produce, leaving the murderer's household

2: Durham B-5 (ca. 1910)1928 EG1 Albania EG1
Montenegrins EF5

Some Tribal Origins, Laws, and Customs of the Balkans

8. The Oath

A M 626 728 628 The oath played a most important part in the whole tribal area of Albania and Montenegro. The tribes lived, till recent times, in a constant state of blood-feud both with each other and within the tribes, and this was regulated only by means of sworn intervals of peace. In Montenegro you were in "krv" (blood) or under oath ("pod vjere"). In Albania, in "gjak" (blood) or under "besa." The tribesman as a rule kept the oath when formally sworn with rigid fidelity. A man forsworn was universally condemned. How by means of such oaths blood-feuds were settled we have told in another chapter.

A 626 783 *Manner of Taking Oath.*—Among the Albanian tribes there still exists the very antique custom of swearing the oath upon a stone. The priest and the hodja have succeeded in adding respectively the cross and Allah to his oath, but to the priest's vexation the mountain man persistently says, as he throws down the stone in the circle of headmen, "Per guri i per kruch" (by the stone and the cross), and puts the stone first. When a Catholic tribesman had confessed and received absolution he liked to come to church next time carrying a stone in proportion to the size of the sins confessed. What pact he had sworn on the stone I could not understand. The stone in this case was said to represent penitence Some priests forbade the practice; others said it was unnecessary, but allowed it because this visible sign of contrition seemed really to help them. "But," said Padre Kiri of Thethi, laughing, "when a man came with a rock on his shoulder I told him he might leave it at the door."

A reason suggested for this custom is that the penitent transferred his sin to the stone and so got rid of it.

In trials before the elders a man accused of crime would swear his innocence upon a stone and fling it down before his judges.

M 626 783 *Montenegro.*—I did not find the custom in Montenegro, but it was clearly common till recently. Prince Danilo, in his Code of 1855, decrees (Law 65): "If after this day a Montenegrin or Brdjanin present himself before justice with a stone tied to his neck, whether innocent or guilty he shall be flogged."

M 754 The custom, it appears, has been flogged out. But in spite of Danilo's floggings I still found the custom of throwing a stone with a curse on to the reputed grave of a bad man. On the western side of Montenegro are several stone piles, and many such are to be found in the Herzegovina, some of which have been excavated and proved to be prehistoric tumuli. Krsto firmly believed all such heaps to be "proklete gomile" (accursed heaps) over the body of a desperate criminal who